

**IN UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

ZACHARY FORT, NEW MEXICO SHOOTING :  
SPORTS ASSOCIATION, FIREARMS POLICY :  
COALITION, INC., and SECOND AMENDMENT :  
FOUNDATION, :  
*Plaintiffs,* : Civil Action No.

V.

MICHELLE LUJAN GRISHAM, individually and :  
in her official capacity as the Governor of New : **DECLARATION OF ZACHARY FORT**  
Mexico, PATRICK M. ALLEN, individually and in : **IN SUPPORT OF PLAINTIFFS'**  
his official capacity as the Cabinet Secretary for the : **MOTION FOR A TEMPORARY**  
New Mexico Department of Health; JASON R. : **RESTRAINING ORDER AND**  
BOWIE, individually and in his official capacity as : **PRELIMINARY INJUNCTION**  
the Cabinet Secretary of the New Mexico :  
Department of Public Safety, and W. TROY :  
WEISLER, individually and in his official capacity :  
as the Chief of the New Mexico State Police, :  
*Defendants.* :

I, Zachary Fort, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following statements are true and correct to the best of my knowledge:

1. I am over 18 years of age, competent to testify, and have personal knowledge of the matters stated herein. I make this declaration in support of plaintiffs' emergency motion for a temporary restraining order and preliminary injunction.

2. I am the former president, and current treasurer, of the New Mexico Shooting Sports Association, Inc. (“NMSSA”).

3. NMSSA is a 501(c)(4) nonprofit corporation, incorporated in New Mexico and with its principal place of business in New Mexico.

4. NMSSA's mission is to promote social welfare and public safety, law and order, and the national defense; to educate and train citizens of good repute in the safe and efficient handling of small arms and to encourage their lawful ownership and use of small arms.

5. NMSSA has over 1,000 members in the State of New Mexico, including myself.

6. NMSSA has filed this lawsuit on behalf of its members, including myself, whose rights to carry firearms in public for lawful purposes are being abridged by the unconstitutional emergency declarations and orders challenged here.

7. I am a citizen of the United States and New Mexico, and I reside in Albuquerque, which is located in Bernalillo County, New Mexico.

8. I possess a valid concealed handgun license.

9. I regularly carry a lawfully owned firearm for self-defense in public in Albuquerque and Bernalillo County.

10. I have, however, ceased carrying a firearm for self-defense in public because I fear enforcement of the challenged emergency declarations and orders against me.

11. If the challenged emergency declarations and orders were retracted I would resume carrying firearms for self-defense in Albuquerque and Bernalillo County.

12. In addition to NMSSA, I am a member of Firearms Policy Coalition, Inc. and Second Amendment Foundation.

DATED this 11th day of September, 2023.

  
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Zachary Fort  
Treasurer  
New Mexico Shooting Sports Association, Inc.